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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/084,744	02/26/2002	Fred Bishop	40655.4100	8824

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EXAMINER

REAGAN, JAMES A

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 11/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/084,744	Applicant(s) BISHOP ET AL.	
	Examiner James A. Reagan	Art Unit 3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,8,11 and 12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,8,11 and 12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

1. This action is in reply to the response received on 24 August 2006.
2. Claims 1, 8, and 11 have been amended.
3. Claim 10 has been cancelled.
4. Claims 1, 8, 11, and 12 are currently pending and have been examined.

RESPONSE TO ARGUMENTS

5. Applicant's arguments received on 24 August 2006 have been fully considered but they are not persuasive. Referring to the previous Office action, Examiner has cited relevant portions of the references as a means to illustrate the systems as taught by the prior art. As a means of providing further clarification as to what is taught by the references used in the first Office action, Examiner has expanded the teachings for comprehensibility while maintaining the same grounds of rejection of the claims, except as noted above in the section labeled "Status of Claims." This information is intended to assist in illuminating the teachings of the references while providing evidence that establishes further support for the rejections of the claims.

Applicant states that, "... neither Gershman, McGinty, nor any combination thereof, disclose or suggest at least an encryption device configured to *re-encrypt said portion of said content with an encryption key of a PDA user and transmit said imbedded links and said encrypted content to said PDA portal* as recited by independent claims 1, 8, and 11." However, as shown in the rejection below, Gershman, discloses a hardware device separate from the PDA for encryption and decryption of sensitive data transmitted to the wireless device (see at least Figure 27b and associated text as well as other relevant passages within the reference). In addition, Applicant, on page 9 of the specification, discloses, "Further, it should be noted that

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the present invention may employ any number of conventional techniques for data transmission, signaling, data processing, network control, and the like. For a basic introduction to cryptography, please review a text written by Bruce Schneider which is entitled "Applied Cryptography: Protocols, Algorithms, And Source Code In C," published by John Wiley & Sons (second edition, 1996), which is hereby incorporated by reference." This admission, in combination with Gershman, discloses that encrypting data before transmission is familiar in the PDA arts.

Previously Indicated Allowable Subject Matter

6. Claim 10 was objected to as being dependent upon a rejected base claim. However, after reconsideration and a closer examination of the specification, the allowability of claim 10 is hereby withdrawn.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1, 8, 11, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's own admissions in view of Gershman et al. (US 6,199,099 B1), and further in view of McGinty (WO 2001/52078 A1).

Examiner's Note: The Examiner has pointed out particular references contained in the prior art of record within the body of this action for the convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply. Applicant, in preparing the response, should consider fully the entire reference as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Claims 1, 8, 11, and 12:

Except as shown below, the Applicant, in the background section of the specification discloses that PDA's, portals, channels, refreshing and downloading, synchronizing of data and applications, interrogating and selection of embedded links, and SSL protocols, and therefore discloses the following limitations:

- *receive a signal from said PDA indicating said portion of said content to be at least one of refreshed and downloaded;*
- *identify said PDA;*
- *interrogate source containing said portion of said content to determine when secure content is included in said portion of said content;*
- *connect to an encryption device which is configured to*
- *establish a secure connection to said source using a negotiated encryption key, secure said portion of said content, receive encrypted content which is an encrypted portion of said content, decrypt said encrypted content, interrogate said content, isolate said imbedded links, re-encrypt said portion of said content and transmit said imbedded links and said encrypted content to said PDA portal;*
- *receive said imbedded links and said encrypted content from said encryption device;*

- *transmit said imbedded links and said encrypted content to said PDA for storage when said portion of said content has been collected from at least one of said source, wherein said encrypted content remains encrypted on said PDA.*

The Applicant does not disclose isolating embedded links. McGinty, however, in at least the abstract and other associated and relevant text does. It would have been obvious to one of ordinary skill in the art at the time of the invention to add the technique of identifying and isolating embedded hyperlinks as taught by McGinty with the Applicant's discussion regarding the features and uses of a standard PDA because isolating and removing or encrypting the hyperlinks increases the security of the data transmissions between the PDA and the information providing device.

Applicant does not disclose the use of encryption techniques. Gershman, however, discloses a hardware device separate from the PDA for encryption and decryption of sensitive data transmitted to the wireless device (see at least Figure 27b and associated text as well as other relevant passages within the reference). It would have been obvious to one of ordinary skill in the art at the time of the invention to add the PDA infrastructure as disclosed by the Applicant with Gershman's addition of security procedures because these security techniques are already in place for personal computers such as, for example, desktop computers, laptop notebook computers, and associated computer networks. Since a PDA is merely a wireless computer with the same functionality, it would be obvious to extend these recognized and established practices to the wireless device as well.

In addition, Applicant, on page 9 of the specification, discloses, "Further, it should be noted that the present invention may employ any number of conventional techniques for data transmission, signaling, data processing, network control, and the like. For a basic introduction to cryptography, please review a text written by Bruce Schneider which is entitled "Applied Cryptography: Protocols, Algorithms, And Source Code In C," published by John Wiley & Sons (second edition, 1996), which is hereby incorporated by reference."

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This admission, in combination with Gershman, discloses that encrypting data before transmission is familiar in the PDA arts.

Conclusion

9. **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
10. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **James A. Reagan** whose telephone number is **571.272.6710**. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **ANDREW J. FISCHER** can be reached at **571.272.6779**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair> . Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to **571-273-8300**.

Hand delivered responses should be brought to the **United States Patent and Trademark Office Customer Service Window**:

Randolph Building

401 Dulany Street

Alexandria, VA 22314.

JAMES A. REAGAN

Primary Examiner

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19 October 2006

JAMES A. REAGAN
PRIMARY EXAMINER

